

**Practitioner's Docket No.: 789\_076**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Toshikazu HIROTA, Takao OHNISHI, Saichi YAMADA, Kazunari YAMADA, Yukihisa TAKEUCHI

Ser. No.: 10/068,292

Group Art Unit: 1641

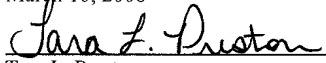
Filed: February 6, 2002

Examiner: Ann Y. Lam

Confirmation No.: 9651

For: BIOCHIP AND METHOD FOR PRODUCING THE SAME

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<b>CERTIFICATION OF EFS TRANSMISSION</b>
I hereby certify that this paper is being transmitted via EFS to the Patent and Trademark Office on March 10, 2008
 Tara L. Preston

**REQUEST FOR CONTINUED EXAMINATION  
(37 CFR §1.114)**

1. Applicants hereby request continued examination, in accordance with 37 CFR §1.114, for the above identified application.
  
2. This request is being submitted:
  - i.  Prior to abandonment of the application
  
  - ii.  Payment of the issue fee
    - Prior to payment of issue fee
    - Issue fee has been paid but a petition under §1.313 was filed \_\_\_\_\_  
(copy attached).
  
  - iii.  Prior to a decision on appeal to the Board of Patent Appeals & Interferences
    - A notice is being separately sent to the Board of Patent Appeals & Interferences that this Request for Continued Examination is being filed.
  
  - iv.  Appeal to the U.S. Court of Appeals of the Federal Circuit under 35 U.S.C. 145 or
    - Commencement of a civil action under 35 U.S.C. 146
      - Prior to the filing of such appeal or commencement of civil action
      - Such appeal or commencement of civil action has been terminated.

3. Please Enter and Consider the following *Previously Submitted Documents*:

- Amendment filed \_\_\_\_\_.
- Brief on Appeal filed \_\_\_\_\_.
- Other:

4. Enclosed herewith is/are:

- An Information Disclosure Statement and Form PTO-1449
- An Amendment
- New arguments
- New evidence in support of patentability
- Other:

5. The filing fee has been calculated as shown below:

RCE Filing Fee (37 CFR §1.17(e))						\$ 810.00
Claims	Claims Remaining After Amendment		Highest Number Previously Paid	No. of Extra Claims Present		
Total Claims	34	Minus	57	0	\$ 50.00	
Independent Claims	1	Minus	3	0	\$ 210.00	
Multiple Dependent Claim(s) (if applicable)						\$ 370.00
<u>Extension of Term</u>						
a. <input type="checkbox"/>	Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.					
b. <input checked="" type="checkbox"/>	Applicant petitions for an extension of time, the fees for which are set out in 37 CFR §1.17(a)(1)-(4), for the total number of months checked below:					
	<input type="checkbox"/> One Month (37 CFR 1.17(a)(1)) .....					
	<input type="checkbox"/> Two Months (37 CFR 1.17(a)(2)) .....					
	<input checked="" type="checkbox"/> Three Months (37 CFR 1.17(a)(3)) .....					
	\$ 120.00 \$ 460.00 \$1,050.00					
	If an additional extension of time is required, please consider this a petition therefor.					
	<input type="checkbox"/> An extension for _____ months has already been secured, and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.					
<b>TOTAL OF ABOVE CALCULATIONS =</b>						\$1,860.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR §1.27.						
<b>TOTAL FEES DUE =</b>						\$1,860.00

6. Payment of Fees

- A check in the amount of \$\_\_\_\_\_ is enclosed.
- Charge Deposit Account 50-1446 in the amount of \$\_\_\_\_\_.
- The Total Fees Due were paid via EFS on Form PTO-875.

7. Authorization to Charge Additional Fees or Credit Overpayment

- The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446:
- Any additional fees required under 37 CFR §1.17(e), §1.16(b)-(d) and/or §1.17(a)(1)-(4).

Respectfully submitted,

\_\_\_\_\_  
March 10, 2008  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Stephen P. Burr  
Reg. No. 32,970

Timothy D. Evans  
Reg. No. 50,797

SPB/TE/tlp

BURR & BROWN  
P.O. Box 7068  
Syracuse, NY 13261-7068

Customer No.: 025191  
Telephone: (315) 233-8300  
Facsimile: (315) 233-8320